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WILLIAM F. WALSH CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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CEPHALON, Inc.,

Plaintiffs,

v.

SUN PHARMACEUTICAL INDUSTRIES, Ltd. and  
Ltd., and CARACO PHARMACEUTICAL  
LABORATORIES, Ltd.

Defendants.  
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) Civil Action No. 11-5474 (FLW)(DEA)  
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**CONSENT ORDER AND JUDGMENT**

Cephalon, Inc. ("Plaintiff") and Sun Pharmaceutical Industries, Ltd. and Caraco Pharmaceutical Laboratories, Ltd., (collectively, "Defendants") have agreed to terms and conditions representing a negotiated settlement of this action and have set forth those terms and conditions in a Settlement and License Agreement (the "Settlement and License Agreement"). Now the parties, having consented to the entry of this Judgment, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. This Court has jurisdiction over the parties and the subject matter of this action.
2. As used in this Consent Order and Judgment, the term "Licensed Product" shall mean any drug product approved for distribution under Abbreviated New Drug Application No. 77-555 in the 2 mg and 4 mg dosage strengths (but not including the 12 mg or 16 mg dosage strengths, or any new or other dosage forms, dosage strengths or active ingredients).

3. Defendants have admitted that Plaintiffs' U.S. Patent No. 5,958,951 is enforceable and valid, and that the manufacture, use, offer for sale, sale, or importation of Licensed Product, absent a license from Plaintiff, would infringe U.S. Patent No. 5,958,951.

4. In any other or future cause of action or litigation, Defendants shall not dispute that United States Patent No. 5,958,951 is enforceable and valid, or that the manufacture, use, offer for sale, sale, or importation of Licensed Product, absent a license from Plaintiff, would infringe U.S. Patent No. 5,958,951.

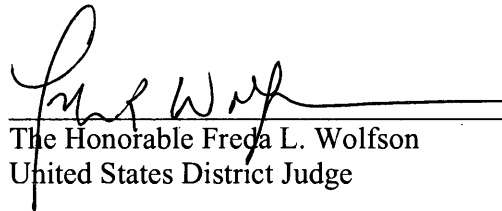
5. Defendants, including any of their affiliates, shall not sell drug product approved for distribution under Abbreviated New Drug Application No. 77-555, unless authorized pursuant to the Settlement and License Agreement.

6. All claims and counterclaims in the above-captioned matter are hereby dismissed with prejudice.

7. Each of the parties shall bear its own costs and attorney fees.

8. This Court retains jurisdiction to enforce or supervise performance under this Consent Order and Judgment and the Settlement and License Agreement.

**IT IS SO ORDERED, DECREED, AND ADJUDGED** this 30<sup>th</sup> day of January, 2014 by:

  
\_\_\_\_\_  
The Honorable Freda L. Wolfson  
United States District Judge